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A
LETTER

From a
Gentleman in *Yorkshire*,

TO HIS
Country-Man in *London*:

Concerning the
DUKE of *LEEDS*.

With an
ANSWER to the said LETTER.

L O N D O N :
Printed in the Year, MDCXCV.



A
LETTER

From a

Gentleman in *Yorkshire*, &c.

S I R,

BOth I and many others of this County, who have been witnesses of the Duke of *Leeds* his Eminent Services for this King and Government, were so amazed with the surprizing News of his being Impeached in Parliament, that we expected to have heard of some very black Crime laid to his Charge, and that the same had been unquestionably prov'd against him.

It was not otherwise possible for us here to believe, that this Parliament, to whose Meeting and Well-being, that Lord did contribute so much, would have suffered him to be Accused; since all Men must acknowledge, that he was the chief, if not the sole Instrument, in procuring that happy Match betwixt his Majesty and the late Queen, to which alone the Deliverance of these Nations is to be attributed, and by which only his Majesty was Intitled to that Claim, which enabled him to do us the Good he hath done, and to receive the Reward he justly deserved from these Kingdoms.

Neither can any body be ignorant of the Duke's Personal Services at the time of the Revolution; wherein, although others may not know the number of his followers, (which were much superior to any other Body of *English* in any one place) nor the care and prudence of his Conduct, as we do who saw it upon the place; yet
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all who are Well-wishers to this Government, must be sensible of the good Effects which that *Northern* Insurrection did produce, and that it was a principal Motive to the desertion of the late King's Army.

It is also not to be denied, That as his Grace did expose both his Person and Fortune on that occasion; so, it being for so great a Good to his Country, and the only Means then visible of preserving the Protestant Religion in this Nation, he did it without reserve: For he ingaged his only Son as deeply as himself; insomuch, that his Posterity must have been liable to all Forfeitures,* as well as he; which was the Case of no other Nobleman in the Kingdom; and he hath ever since continu'd to expose him on the most hazardous Undertakings; in all which, the Marquess hath as constantly signalized himself.

As the Duke's forwardness and zeal for the Service of his Country hath appeared in all his Actions, so his Experience hath been long,

long, and his Abilities known; and no Malice can be strong enough to bring his fidelity to this Government into question, were there no other reason for it, but because that would be to suppose him the weakest of Men (which no body will believe) to quit the interest of a great and powerful King, whom he hath obliged; to espouse the interest of a King, he hath not only disobliged, but who can feed no body with more than bare Promises; which he is neither likely ever to be in a condition to perform; or, if he were, he hath shew'd the World, by too many instances, that he can as easily break Promises as make them.

For these Reasons, we are impatient to learn what mysterious Designs lie at the bottom of these Proceedings against his Grace.

That which appears to us, by the Printed Votes of Parliament, is only a general Accusation for High Crimes and Misdemeanors,

demeanors, alledging the said Crimes to be for taking corruptly and illegally, 5500 Guinea's from the *East-India* Company, for procuring a Confirmation of their Charter; of which the illegality is not understood here, if it had been done.

But by several Books and Pamphlets which have been dispersed in the Country, we find many things aggravated in that matter, by the pretended Speeches of Members in both Houses, which we thought had not been permitted to have been Printed, without the License of the Speakers of each House: But we observe, that the Authors of those Pamphlets do not only conceal their Names, but their Prints are found so full of virulent and personal Invectives against the Duke, that very little credit is given to them; and some of them are Prefaced with Texts of Scripture, so maliciously and wickedly applied, that they appear to be things written with design only to spread an ill Character (if they could) of the Duke amongst the common

mon People, whom they hope to deceive by their bold and impudent assertions: But instead of making that impression, it is generally believed they take that course, because they think they cannot hurt him by any truth or fair way of acting against him.

That this is the aim of those Libellers, they have made sufficiently appear, by the first of those Phamphlets which I saw, viz. one Intituled, *A Collection of some Transactions in Parliament, in relation to the Impeachment of Thomas Earl of Danby, in 1678, &c.* But the Publisher of that hath been so deceived, in the operation of that old Memorandum, amongst us Country Gentlemen, that it hath had a quite contrary Effect to his Purpose; for it hath both shew'd a Malice without disguise, and puts every body in remembrance how unjustly the Duke was then accused, and how constant an Assertor he hath appeared to have been ever since, both of the Protestant Religion, and of the *Eng-
lish*

lish interest, against that of *France*: Nor was the Author's Wisdom suited to his Malice, when he thought fit (as he hath done in that Pamphlet) to quote some parts of the Duke's Letters to Mr. *Montague*, and to leave out other parts of the same Letters, and to say nothing of what appeared in some of Mr. *Montague's* Letters, in the Duke's Vindication in that same Business; which hath since manifested it self, to have been the contrivance of *French* Councils, in concert with some *English*-men, who were employ'd to wound the Duke, who they then found to be their chief Enemy in the *English* Ministry.

The other two Pamphlets which I have seen, are, one of them Intituled, *A Collection of the Debates, &c. Upon the Inquiry into the late Briberies, &c.* And the other is called, *A Supplement to the said Collection, &c.* Both which, although they pretend to give an Account of some other Mens Actions, yet appear to be so principally levelled against the Duke, that the

rest seem to be introduced rather to cover the Author's Venome against his Grace; in which, to say truth, they have ventured to be as bold as they are malicious, unless they find him more merciful hereafter than they deserve; and amongst the Inquiries in Parliament, it may reasonably be expected to be one, to know who they are that presume to take the Liberty of Printing Lords and Commons Proceedings and Speeches in Parliament, without their Licensè; which (if true) must be given out by some of their own Members; but are most likely to be false, because they are writ by such Clandestine Scriblers as are supposed to write for bread.

Amongst other reflections, the Pamphlets endeavour to raise a great Argument of guilt against the Duke, upon the absconding of his *Valet de Chambre*, *Monsieur Robart*, (who I remember waited upon the Lord *Willughby*, when we were at *York*) and they would insinuate, as if he
could

could discover something against his Grace : But this does seem stranger than the rest, to believe that if he could say any thing against the Duke, his Grace hath not better means and opportunity, if he had pleased, to secure his own Servant's Testimony to be for his Master's Interest, than any body else could have to make him swear against his Master for nothing ; unless they have a better opinion of a Stranger's Conscience, (who is said to be a *Swiss*) than of an *Englishman's* ; so that this pretence is lookt upon as frivolous ; and some suspect whether my Lords Enemies may not rather have prevailed with him to withdraw, because his absence serves them both to create a suspicion and delay ; whereas it is next to an impossibility that his appearance can be prejudicial to the Duke ; for if he can say nothing against his Grace, it would be to his advantage ; and supposing that he could, I will not admit, for my Country-mens sakes, that a *French* or *Swiss* Servant has a more nice

and squeamish Conscience for Truth, than an *English* one; and I dare appeal to such Servants themselves, how many of them would be Proof against a good Reward from their Master, to stretch a little for him, (especially when they should have nothing on the other side for betraying him) it being in truth, no better than treachery in a Servant to swear against his Master, in a case where there is neither Treason nor Felony in it; nor indeed so much as to be call'd a Crime, till the Parliament thought fit to make it one by a Law *ex post facto*; which may prove a very dangerous President. This is another Instance of our wonder, how that which hath been so constantly Practised in all times past, by most of the Companies trading beyond the Seas, *viz.* The giving Sums of Money at Court for the procuring and enlarging their Charters, should without any notice beforehand of its being a Fault, be now called an High Crime and Misdemeanor by Act of Parliament, and under such heavy Penalties

nalties as some do now suffer, without any benefit of the *Habeas Corpus*, which ought to be so Sacred to us; when in all probability the Punishment would not have been made greater for the transgression of such a Law, if it had been a known Law before, and had been wilfully broken.

It is also greatly observable, That those Libellers who have shew'd they would omit nothing which they could hope would any way blemish the Duke, have not said one Syllable of any Proof made of that matter, with which they would charge him, but tells us of Contracts and Discourses betwixt one Sir *Bazil Firebrass*, and one Mr. *Charles Bates*, about those Guinea's which are before mentioned, and brings it to the Duke, only by Sir *Bazil's* pretending that the said Mr. *Bates* should say sometimes to him, that he could not treat with Sir *Bazil* without speaking with his Friend at *St James's*; and the said *Firebrass* saith that *Bates* did once name the Duke,

Duke, but does not pretend that himself did ever speak with the Duke about any such Matter ; only says, that he was sometimes brought to the Duke by the said *Bates*, and that his Grace was kinder to them after the Money was given to Mr. *Bates*.

I confess this is such a way of charging Men with Crimes, as I hope we of lesser Rank shall never be made liable to ; and Sir *Bazil's* part in it is, what does agree with the Character he hath in many other things, if the Stories be true which are related of him in all places where his Name is mentioned ; for although in this Matter about the Duke, all he is able to do amounts but to raise a Suspicion by Hearsay, (if all his Depositions were true ;) yet he is willing rather to expose his own Reputation (which perhaps he thought was to venture nothing) than not endeavour to blemish the Duke's as much as he could ; and since no apparent advantage could accrue to him for doing so, it must certainly have been either a considerable Reward,
or

or some other Design beyond his own, which must have tempted him to make any mention at all of Moneys, which (as appears by the Pamphlets) related not to any of the Summs with which the said Sir *Bazil* is charged, and much less to have brought the Duke's Name to be concern'd in it.

In short, both the Matter and Manner of making such Reflections against the Duke, as they have done by these Pamphlets, are so far from harming the Duke, or wounding his Reputation in these Parts, that the Authors of them are lookt upon as Men who are Malicious, and Enemies to the Government, as much as to the Duke; for unless he had been guilty of the breach of some known Law, he has deserved too much from this Government, to have been traduced under it as a Criminal in Print; when, if Gratitude can be due from a Nation to a Subject, I am sure he may expect it with an unquestionable Claim to it.

Upon

Upon the whole (as I have said) we are very desirous to know what the meaning of all this can be, and from what Spring it arises; since it is certain, that the King can no more approve it, than we can understand why such discouragements should be put upon such an Useful and Experienc'd Minister, at a Time when the Kingdom hath more than ordinary need of such to preserve it.

I desire therefore, that you will favour me with what Information you can in these Matters, which will be a great Satisfaction to many besides my self, and will infinitely oblige,

S I R,

Your most Humble Servant.

AN
ANSWER
To the Preceeding
LETTER.

From a
Friend in *LONDON*.

LONDON:
Printed in the Year, MDCXCV.



A N

Answer, &c.

S I R,

I Have Received yours, and have seen Letters from divers other Gentlemen in the Country, who do wonder no less than you, at the Prosecution which hath been against the Duke of Leeds: For his Services to this King and Nation have been so publick, that it was rather to be expected, that he would have been supported by this Government, although he had broken some Law, (if the Case had not been very Criminal) than that we should have seen an Accusation brought

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against

against him, for a Matter which (as you have observed) was to be made a Crime after it was committed (if the Fact had been true,) and without any Proof appearing against him, and upon such Circumstances, as, when considered, must add to the admiration.

First, In regard of his Accuser Sir *Bazil Firebrass* his Credit, which needs very good concurring Testimony, to support it against the meanest Man in the Kingdoms.

Secondly, That there is no other Witness against the Duke but himself; and what he says, is only by Discourses with another Man, viz. Mr. *Bates*, who deposeth positively, that the Duke refused the Money when it was offer'd him.

Thirdly, Sir *Bazil* confesses, that Mr. *Bates* told him, the Money was all for himself.

Fourthly, Sir *Bazil* deposeth, that he could not tell who this Money was designed for,

for, or what Mr. *Bates* did with it ; for he says, Mr. *Bates* would not deal on such Terms as the telling of Names.

Fifthly, Sir *Bazil* deposeth, that he knew not of any Money or Stock given to any Person whatever, for procuring a Charter to the *East-India* Company.

And *Lastly*, To put the Truth of all his Depositions out of question, he hath Sworn, that Mr. *Bates* brought him the Condition of a Contract about this Money, which was drawn with these words, *In case the Lord President did not assist the Company, &c.* And that he, Sir *Bazil*, took care to strike the Lord President's Name out of the said Contract : Now let this be reconciled, either to that Lord's Prudence, or to Sir *Bazil's* Honesty, (who had Sworn that Mr. *Bates* would not tell Names) or to his Care (as he pretends) of the Lord President ; if any body be able to do the Knight that Service : But he needs no more than

than his own Depositions, as aforesaid, to contradict himself.

The Pamphlet indeed is so just in that, as to shew that his swearing to that Article, of not knowing of any Money given (as aforesaid) was on the 24th of *April*, and the mentioning of the Guinea's to Mr. *Bates* was not till the 25th, and the chief Reflections on the Duke were not made till the 26th, (whereof I shall take notice by and by) but to inform you from whence this Prosecution arises Originally against the Duke, is too nice a point for me to meddle with, if I could.

Thus much only is certain, That it was a matter concerted before the sitting of the Parliament, (for I have reason to believe the Duke spoke of it himself before that time) that it was pursued with great warmth by some particular Persons, and there was no prosecution of some who were named with greater grounds of suspicion about the same matter. That much time was spent in

in these Inquiries, to the very great delay of the King's Supplies; and at last it was brought to no Tryal of the Duke, for that reason only which you have observed, of his *Valet de Chambre, Robart*, being out of the way.

You have remarked so much concerning that Servant's absenting himself, that I have only two particulars more to inform you of that matter, *viz.* That when the Address was made to the King by the House of Lords, for a Proclamation to apprehend the said *Robart*; it was moved in that House, and agreed to by the House, that there should be a Clause in the said Proclamation to incourage the said *Robart* to come in, without danger of his being Imprisoned; which was done upon the Duke's informing the House, that *Robart* had writ a Letter to his Chaplain, wherein he had declared that he was fled only for fear of being put into Prison, having heard before he went away of so many being sent to the Tower, who were Witnesses in that Affair, and that
Messengers

Messengers had been sent to take him; and being a stranger, he could not hope to find many Friends in this Country to protect him. And yet this Encouragement for him to return was never put into the said Proclamation.

The other particular is, That in *June* last an Information was carried to the Duke (by one who I suppose thought the Duke was unwilling to have his Servant taken) that a man had been that day with a Friend of his, to ask what Reward any man would get who should apprehend Monsieur *Robart*, for that he could take him any night about Eight a Clock; but that he would not do it for nothing.

To which the Informer told the Duke, his Friend had answered, that he had best go and acquaint a Secretary of State with it; but whether the man did go to a Secretary or not, the Informer knew not; but said, that some care must be taken, or
Robart

Robert would be certainly apprehended in a night or two.

To this the Duke reply'd, (as I was told by the Informer himself) *I thank you for the Information, and desire you will tell the Man, that if the Secretary will give him nothing, I will give him an Hundred Pounds, if he can take him and bring him to a Secretary of State, or to me at St. James's; and I have good Reason to believe, that the Duke would be much gladder to have him here, than his Enemies would be to see him.*

Another thing which was construed to proceed from the private Animosities of particular Persons against the Duke, and which carries a strong presumption of a contrivance against him by those Persons, was, That on the 25th of *April*, when the said *Firebrass* was in the Custody of Messengers of the House of Lords, and ought not to have been spoke to, but before the Committee of both Houses, or with their permission; he was got out of the Custody

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dy of those Messengers, and was entertained in a private Lodging, where he was for some hours, without any Messenger to attend him, or knowing where to find him; and it was after that day, viz. the 26th of *April*, that he made those Depositions which reflect most upon the Duke; and (which is yet more remarkable) they who had entertained him, as aforesaid, on the 25th, informed the Committee on the 26th, that *Firebrass* had desired to speak with them; but that they would not speak with him in private, without the leave of the Committee.

Upon this it is, that I formerly observed to you, that 'till the 25th (which was the day of their speaking with *Firebrass* at a private Lodging) he knew nothing (as the Pamphlet relates) of any Money given to anybody; but that day he not only knew of the 5500 Guinea's given to Mr. *Bates*, but he made it his own Request to be called in to the Committee, and for that purpose only, although it related no more to his Account.

Account than to yours; and he said not one word at that time relating to his own Account, having hopes (as is reported) that his own Account (which was for 40000 *l.*) should have been buried in the 5500 Guinea's afore said; and then on the 26th, (which was the day that leave was given to speak privately with *Firebrass*) he mentioned Bargains and Contracts, and a Copy of that Receipt given him by Mr. *Bates*, out of which he pretended to have taken that great care (as afore said) to strike the Lord President's Name.

As to the pretended Speeches in Parliament, some of them have certainly been mis-represented by the Pamphlets; because in one of them, they make a Member of the House of Commons to say, that the Duke, when he spoke in that House, would not enter into the particular Facts charged against him, and yet they have Printed his Speech in that House, (although with divers mistakes) wherein they own his Grace to have said, that he never touched any of

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that

that Money; which is so full a denial of the main Fact, that no Member who then heard him, could say afterwards that he would not enter into Particulars, because it had been absurd for him to have entered into Particulars, after such a general denial: And they pretend, another Member of that House to have said, (but mentions no Names) that the Law of God is against him, (meaning the Duke) and broken by him, before any thing be proved against him, or shewing wherein the Law of God is broken, if it had been proved; and he makes the same Member to mention the Oath of a Privy Councillor, as if he had broken that also; of which Oath, all the Members of that House are so well informed, that they know it is only an Oath to conceal the King's Council, and to give him faithful Council; which every Man does according to what he thinks to be so; and if the Duke's Council hath not been faithful to this King, there is no body that can pretend to it: Besides, his Grace did in this Case alwaies declare his Opinion publicly,

publickly, That the taking of such a Forfeiture, as that then was against the *East-India* Company, would have been very unjust; and that the breaking of the *East-India* Company would be both the loss of that Trade to the Nation, and the giving it away from *English-men* to strangers; and many Thousands in the Kingdom are now of the same opinion.

I have given you a true Account of the principal Matters of Fact; but the conjectures are very various, why an occasion hath been taken to give the Duke this trouble, upon so small grounds as these seem to be, to every body that considers them thoroughly; but a little time will make those Reasons (whatever they were) appear more plainly: For in Truth the Parliament was in some measure surprized with the sudden bringing of that business before them, which, although concerted by some Men long before, was not brought into Parliament till the last Week of its Session, after it had sat Twenty Four Weeks, and that

two thirds of the Members of the House of Commons were gone into the Country, believing all the business of that Session to have been over : For it was the 24th of *April*, when the first Examination of *Sir Basil Firebrass* began before the Committee, and the Impeachment of the Duke was Voted the 26th, the Articles against him were carried up to the Lords the 29th, at Six a Clock at Night; and the Duke gave in his Answer the next morning, which was the 30th. The 1st of *May* was *Sunday*, the 2d was spent wholly by the Duke's pressing to have been T.yed before the Session had been ended, and the 3d the Parliament was Prorogued; inso-much that there was but seven days in the whole, betwixt the first time of examining the matter concerning the Duke, and the end of the Session, and the Proceedings upon him were so quick, that the Duke had no notice of their intent to Impeach him (although he was at that time in the House of Lords,) before they had past the Vote of Impeachment, which was too late
to

to be Revoked when his Grace went down to the House of Commons. And I have since heard divers of that House say, that if they had heard the Duke before their Vote past, they would not have proceeded so hastily.

I suppose you have heard with what earnestness the Duke on his part prest daily to have been brought to Tryal, insomuch that he ventured the King's displeasure, in hindring the passing the Money Bill one whole day, and part of another, within the time of the Seven days aforesaid: So that by all this you will easily imagine how little time anybody had to digest their thoughts so thoroughly, as an Affair of that Consequence required.

I am glad to hear from all hands, that this matter about the Duke is so well understood in the Country, where they can know little, but what the Gazette or Pamphlets relate, which take a far greater Liberty

berty than they used to do, since the Act
 for Printing expired: But in this place,
 where things are known better, and more
 particularly, the Esteem of the Duke is
 as much as ever amongst all, but such
 as love Monarchy no better than they do
 his Grace; and I am certain there is not
 any Nobleman whose Reputation is greater
 in this City, than the Duke's; his
 good Example of Life and sober Conversation,
 (Qualities not frequently found amongst
 his Enemies) his great Moderation in Religion,
 and the exactness of his Payments
 and Dealings with all sorts of Men (which
 is no less rare to be met with in this
 Age, and especially amongst many who
 talk loudest for Property and Liberty)
 recommending him to their esteem in a
 very great degree: Besides, that mark of
 his Honour will never be forgot, how
 he scorned to be tempted with Money,
 when a Summ Twenty times greater than
 what was now pretended to be given him,
 was offered him from *France*, and was refused
 by him, because it was to do what
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he thought would be prejudicial to his Country; which is such a Proof of his being out of the reach of Money to make him do any dishonourable or illegal Act, as no Man but himself hath had the opportunity to give the World; and it ought to take away the giving credit to any Charge of that kind against him.

It is no new thing, nor at all out of Practice in our days, to see good Men mis-represented, or bad ones cried up with the Character of Worthies; but to see such Libellers go unpunished as have dared to put in Print the most scandalous and apparent lies against the greatest Men in the Realm (as are to be seen against others as well as this Duke,) is what, I confess, seems strange to be suffered in any well-govern'd State.

It is well known, that heretofore the same sort of Men endeavour'd to have blasted this Duke with the Character of

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a Betrayer of his Country, even about the time when he could not be wrought upon to do it, by the strongest Temptations which could be offered him: Nay, their Malice then reached so far as to blacken him with a pretence of his being guilty of the Murther of Sir *Edmondbury Godfrey*; but as God many times hardens such Mens hearts, and leaves them to frame lies according to their own inventions, so they then spared not King *Charles* himself, but in their Libels made him to be one of the Accomplices with this Duke in that villainous Murther. So far will Men proceed in their Wickedness, when they find it go unregarded.

To conclude, It may be Remarked, that whilst some Men are accused, who have done the greatest Services to their Country, and to the Interests of the Protestant Religion; others, who have abandoned, and formally abjured the Protestant Religion, to take up the Romish, and who have served the Interests of *France* and Popery without disguise,
and

and in conjunction with Popes *Nuncio's*, and *Jesuit* Privy Councillors, go not only unpunisht, but have been countenanced, as if they were the chief Supporters of our Religion and Laws, and the others the Betrayers of them : Such Paradoxes do we meet with in State Affairs, as well as in School Controversies: But as God has hitherto protected this Duke against his Enemies, in so many transcendant Instances of their Malice, so I doubt not but he will continue both to protect his Person, and reward his Merits; which I am sure every man ought to pray for, that wishes well to this Church and Nation, as does daily,

S I R,

Your most Faithful

and Humble Servant.

F I N I S.